

Memorandum

***Government Relations Department
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To: Honorable Mayor & Members of the Committee on Rules,
Finance & Intergovernmental Relations

From: Andrew Poat

Date: March 28, 2003

Re: 2003 State Legislative Recommendations

This report recommends official positions for the City of San Diego on legislation pending in the 2003 session of the State Legislature.

Background

More than 3,000 bills have been introduced in the 2003 session of the California State Legislature. For all legislation listed below, the Government Relations Department, based upon recommendations from all other departments of City Government, recommends that the City adopt one of four positions:

- Priority Support: Legislation on which the City places a priority for adoption
- Priority Oppose: Legislation on which the city places a priority for defeat
- General Support or Oppose: Legislation on which the city will establish a position, but not take extraordinary steps to influence its course
- Watch: Legislation not currently of concern to the City, but which will receive close attention to determine whether amendments might place the bill into one of the first two categories at a later time

For purposes of providing a complete perspective on the City's 2003 legislative program, this report integrates legislation reviewed in the Department's March 13 report to the Committee.



Economic & Community Development

Priority

AB 439 (Matthews) Enterprise Zones: Expansion

Purpose: Relates to existing law that provides that an enterprise zone meeting specified criteria may be expanded 20%. AB439 increases the allowable expansion to 25%.

Status: Assembly Jobs, Economic Development and the Economy

Recommendation: Support

AB 592 (Ridley-Thomas) Economic Development: Enterprise Zones

Purpose: Authorizes the governing body of a city or county to apply to Tech., Trade, and Commerce for approval to reconfigure the geographic boundaries of an existing enterprise zone w/i the local governing body's jurisdiction if certain conditions are met.

Status: Assembly Jobs, Economic Development and the Economy

Recommendation: Support

AB 708 (Correa) Enterprise Zones

Purpose: Extends the applicability of the 20-year time period to all designated enterprise zones that meet the specified criteria.

Status:

Recommendation: Support

AB 1058 (Lieber) Community Redevelopment

Purpose: Provides that any redevelopment agency that incorporates specified community benefit standards into a redevelopment project is exempt from any transfer of tax increment funds to the General Fund within the State Treasury.

Status: Assembly Housing and Community Development

Recommendation: Support

SB 109 (Torlakson) Redevelopment: Major Audit Violations

Purpose: Characterizes major violations of redevelopment law by redevelopment agencies as major audit violations. Requires the Controller to send relevant documents and affidavits to the Atty General with a list of agencies that have uncorrected violations. Requires those agencies to respond to any action w/i 15 days of service. Requires the agency to forfeit a prescribed amount to the State under specified conditions.

Status: Passed Senate. To Assembly.

Recommendation: Support. Adds numerous additional auditing requirements, but clarifies other provisions, making it a net positive for ED.

SB 114 (Torlakson) Financial Assistance: Relocation Retailers

Purpose: Eliminates the authority of a redevelopment agency or local agency to provide any form of financial assistance to an automobile dealership or big box retailer that is relocating from the territorial jurisdiction of one community to the territorial jurisdiction of another community but within the same market area.

Status: Senate Local Government: Heard, remains in Committee

Recommendation: Support

SB 938 (McPherson) Parking & Business Improvement Area Law

Purpose: Authorizes a city council to establish a parking and business improvement area and to levy benefit assessments on businesses within the area for the purpose of providing specified improvements and activities for a period not to exceed 5 years.

Status: Senate Local Government

Recommendation: Support

General Legislative Positions**AB 251 (Parra) Interagency Task Force: Economic Development**

Purpose: Requires the Secretary of Technology, Trade and Commerce and the Secretary of Labor, jointly, to establish, not later than March 1, 2004, an Interagency Task Force on Excellence in Economic Development, with a specified membership. Requires the task force to conduct specified activities and make recommendations to the Governor and the Legislature regarding the state's economic development investments.

Status: Assembly Committee on Jobs, Economic Development and the Economy: Do pass to Committee on Appropriations

Recommendation: Seek Amendments

332 (Mullin) Airports: Land Use Commissions

Purpose: Declares Legislature's intent to clarify that school and community college districts are subject to an airport comprehensive land use compatibility plan. Provides that a local or public agency may propose to overrule an airport land use commission's action or recommendation affecting an airport within the jurisdiction of that public agency after a hearing.

Status: Assembly Local Government

Recommendation: Support.

AB 406 (Jackson) Environmental Quality

Purpose: Prohibits a person, including a project applicant or applicant's retained consultant, from submitting a draft environmental review document to the public agency responsible for reviewing the project. Prohibits a public agency responsible for reviewing environmental documents from accepting comments on a draft document until commencement of the comment period.

Status: Assembly Natural Resources

Recommendation: Oppose. Cost prohibitive for local governments (Planning).

AB 410 (Haynes) California Neighborhood Initiative

Purpose: Enacts the California Neighborhood Initiative to require the Technology, Trade, and Commerce Agency to designate, and annually recertify, 25 California Renewal Communities with the state, subject to specified criteria, to be linked with available federal funding, public or private resources, and specified state resources.

Status: Assembly Jobs, Economic Development and the Economy

Recommendation: Support with Amendments

AB 411 (Haynes) California New Markets Venture Capital Program Act

Purpose: Enacts the California New Markets Venture Capital Program Act of 2003, which requires the Tech., Trade, and Commerce Agency to establish the New Markets Venture Capital Program. Authorizes the agency to enter into participation agreements with eligible New Markets Venture Capital companies so that they can make developmental venture capital investments in smaller enterprises in low-income areas

Status: Assembly Jobs, Economic Development and the Economy

Recommendation: Support

AB 463 (Oropeza) Transit Facilities: Infill Housing

Purpose: Declares the Legislature's intent to enact legislation that develops an incentive-based strategy to encourage the construction of infill housing and commercial and retail development within opportunity zones in cities, suburbs, and towns, and to provide local governments with transportation funding to reward the approval and construction of infill housing and other developments that are at or near transit facilities.

Status: Introduced

Recommendation: Watch

AB 492 (Cogdill) Wildlife Habitat Enhancement

Purpose: Requires the Fish and Game commission to notify the owner(s) of each parcel that is adjacent to a proposed wildlife habitat enhancement and mgt. area prior to authorizing the department to issue a license for that area.

Status: Assembly Water, Parks and Wildlife

Recommendation: Support. Will assist the City of San Diego (Planning) in being noticed when Fish and Game acts.

AB 646 (Mullin) Local Agencies: Revenue Sharing

Purpose: Requires that cities and counties that adopt regional tax revenue-sharing agreements, including contracts that apportion sales tax generated by automobile dealerships or big box retailers, be given priority eligibility in the awarding of competitive state infrastructure funds.

Status: Assembly Local Government

Recommendation: Watch

AB 822 (Matthews) Redevelopment: Transit: Jobs: Housing

Program: Authorizes a redevelopment agency, consistent with the authority granted pursuant to the Community Redevelopment Law, to use tax-increment financing to finance projects near transit jointly or in cooperation with other public agencies that are authorized to undertake transit oriented development projects, and projects designed to address jobs-housing imbalances.

Status: Introduced

Recommendation: Watch. No impact on City of San Diego, but may be amended.

AB 922 (Maze) CA Infrastructure & Economic Development Bank

Purpose: Relates to existing law that requires the California Infrastructure and Economic Development Bank to establish criteria, priorities, and guidelines for the selection of projects to receive assistance from the bank, to be based on a minimum of specified factors. Includes among such factors a requirement that, to the extent practicable, priority be given to projects located in counties with declining populations.

Status: Assembly Jobs, Economic Development and the Economy

Recommendation: Oppose

AB 969 (Correa) CA Tourism Expansion Act of 2003

Purpose: Enacts the Tourism Expansion Act of 2003 to require the Tech, Trade, and Commerce Agency to administer a pilot program pursuant to which up to 18 tourism economic development zones would be designated within the geographic boundaries of qualifying cities and counties, upon submission of a proposal by the legislative body of the local agency, subject to specified criteria.

Status: Assembly Jobs, Economic Development and the Economy Committee

Recommendation: Support

AB 1183 (Ridley-Thomas) CA & Mexico Financing Authority

Purpose: Establishes the California and Mexico Border Economic Infrastructure Financing Authority, aka the CalMex Border Economic Infrastructure Financing Authority, composed of a specified membership; requires the authority to issue revenue bonds for the construction and improvement of infrastructure projects within Imperial County and within 100 kilometers of the border between Imperial County and Mexico.

Status: Assembly Jobs, Economic Development and the Economy

Recommendation: Watch. Currently does not affect San Diego, but watch to make sure it stays that way

AB 1344 (Garcia) Prevailing Wages: CDBG

Purpose: Excludes from prevailing wage requirements any project that is funded in whole or in part pursuant to a Community Development Block Grant. Repeals this provision on January 1 of the first calendar year that is immediately preceded by a calendar year during which nonfarm employment did not decline for consecutive calendar quarters.

Status: Assembly Labor and Employment

Recommendation: Support

AB 1354 (Berg) Commercial Fisheries Capacity Reduction Account

Purpose: States the intent of the Legislature, in subsequent amendments, to establish the Commercial Fisheries Capacity Reduction Account in the Fish and Game Preservation Fund, and to authorize the Fish and Game Commission to establish a capacity reduction fee on the taking of certain species of fish and shellfish to be used to repay loans of California fishermen from the federal government under the buy-back program

Purpose: Introduced

Recommendation: Seek Amendments

AB 1626 (Runner) Redevelopment

Purpose: Allows any of the tax revenue allocated to the agency that is not required to be used for housing because the agency made one of specified findings, to be used for other economic development purposes, consistent with the Community Redevelopment Law.

Status: Assembly Housing and Community Development

Recommendation: Watch (spot bill)

SB 203 (Romero) Personal Income Tax: Brownfield Cleanup

Purpose: Authorizes a credit against the Personal Income Tax Law and Bank and Corporation Tax Law for a qualified brownfield property owner for each taxable year beginning on or after January 1, 2003 and before January 1, 2013, in an amount equal to a

certain percentage of the costs paid or incurred to clean up a polluted brownfield property to a satisfactory level, as evidenced by a written certification of completion.

Status: Senate Environmental Quality

Recommendation: Support

SB 294 (Soto) Eminent Domain: Compensation

Purpose: Provides that where property acquired pursuant to eminent domain is part of a larger parcel, instead of the compensation otherwise awarded for the part taken, compensation shall only be awarded for the difference, if any, of the value of the larger parcel taken as a whole, less the value of the remainder taken as a whole.

Status: Senate Judiciary

Recommendation: Watch

SB 501 (Margett) Redevelopment

Purpose: Provides that specified statutory provisions governing the redevelopment of blighted areas shall be known as the Community Redevelopment Law.

Status: Senate Rules Committee

Recommendation: Watch (Spot)

SB 527 (Vasconcellos) Economic Development: Task Force

Purpose: Establishes the Economic Development Accountability Task Force, with specified public and private members. Requires the task force to develop indicators based on standard objective econometrics, for use in the annual state budget process and in the legislative process to evaluate policies, programs, and tax expenditures intended to stimulate the economy.

Status: Senate Committee on Governmental Organization

Recommendation: Seek Amendments

SB 863 (Hollingsworth) Jobs Housing Balance

Purpose: Revises declaration of intent of the Jobs-Housing Balance Improvement Act.

Status: Senate Rules Committee

Recommendation: Watch

SB 864 (Hollingsworth) Redevelopment: Blight

Purpose: Deletes the reference to a lack of necessary commercial facilities that are normally found in neighborhoods as an economic condition that causes blight.

Status: Senate Local Government

Recommendation: Oppose

SB 918 (Battin) Redevelopment: Blight

Purpose: Revises that provision to instead include a crime rate that is so significantly higher than the community's overall crime rate that it constitutes a serious threat to the public safety and welfare of the persons and property in the area.

Status: Senate Local Government

Recommendation: Seek Amendments



Energy, Water & Utilities

Priority

SB 684 (Alpert) San Diego Regional Energy Authority

A City of San Diego Sponsored bill

Water Transfer Legislation: TBD

Proposition 50 allocation Legislation: TBD

AB 1385 (Haynes) Local Gov. Reorganization

Purpose: Provides that in any change of organization or reorganization that includes a detachment of lands from a county water authority, the detached lands shall maintain capacity rights in any public improvements or facilities of the authority that are necessary or convenient for the continued delivery of water to the detached lands. Provides voting procedures for members of the authority

Status: Assembly Local Government

Recommendation: Oppose. Loss of local control. Substantial risk to the City of San Diego and its representative power at CWA

SB 20 (Sher): Solid Waste; Electronic Waste Products; Recycling

Purpose: States the intent of the Legislature to ensure that funds are available to assist cities, counties, and recyclers of electronic wastes in developing programs to safely collect and recycle the hazardous materials contained in electronic wastes, and to promote the refurbishment and reuse of electronic equipment for use by schools and nonprofit agencies.

Status: Senate Rules Committee

Natural Resources and Culture Committee Recommendation: Support legislative or regulatory proposals that would encourage comprehensive and innovative solutions to address electronic waste issues at no additional non-recoverable cost to the City.

General Legislative Position

AB 407 (Harmon) Watershed Mgt

Purpose: Declares legislative intent regarding watershed protection programs and partnerships.

Status: Introduced

Recommendation: Watch (Spot Bill)

AB 489 (Oropeza) Distribute Generation: Flared Gas

Purpose: Makes a legislative finding and declaration that existing law that requires the PUC to reduce demand for electricity and reduce load during peak demand periods. Finds and declares that it is the interest of the state to encourage the development of self-generation resources that result in net air quality benefit from oil production operations that utilize flared gas.

Status: Introduced

Recommendation: Watch

AB 562 (Spitzeer) 2002 Recycled Water Task Force

Purpose: Declares that it is the intent of the Legislature in subsequent amendments to implement the recommendations of the 2002 Recycled Water Task Force

Status: Introduced

Recommendation: Watch. Task Force recommendations have not yet been submitted or made public.

AB 583 (Leslie) Generation Facilities: Regulation

Purpose: Exempts from existing law prohibiting any facility for the generation of electricity owned by a public utility to be disposed of prior to January 1, 2006, the sale, transfer, abandonment or other disposition of a facility for the generation of electricity or of an interest in such facility that is located outside of the State and is owned exclusively by a public utility that serves a specified number of connections in the State.

Status: Assembly Utilities and Commerce

Recommendation: Support

AB 607 (Plescia) Landscape Water Conservation

Purpose: Enacts the Landscape Water Conservation Rate Structure Act, permitting a city, county, or city and county by ordinance to exempt itself from the Water Conservation in Landscaping Act if it is located wholly within the boundaries of one or more water districts that have adopted a landscape water conservation rate structure that complies with certain requirements.

Status: Assembly Local Government

Recommendation: Oppose. Loss of local control

AB 653 (Nunez) Energy Efficiency: Public Buildings

Purpose: Extends provisions authorizing the State Public Works Board to issued bonds and notes to finance the cost of cogeneration, alternative energy equipment and public building conservation measures. Makes projects that combine conservation measures and alternative energy equipment eligible for such funding. Requires the board, in determining whether to issue funding for projects, to evaluate each project in its entirety and analyze its costs and benefits.

Status: Assembly Business and Professions

Recommendation: Support

AB 859 (Nakano) Water Security, Drinking Water, Coastal & Beach Protection Act of 2002

Purpose: Appropriates bond funds made available by an initiative measure to the State Coastal Conservancy to finance the establishment and operation of a regionally-based collaborative network of ocean observing systems to monitor the California coast for the purposes of water management.

Status: Assembly Natural Resources

Recommendation: Oppose. Earmarks Prop. 50 funds

AB 860 (Bates) Electrical Corporations: Desalination Plants

Purpose: Excludes from the definition of "electrical corporation" a corporation or person owning an undivided interest in electrical generating facility selling electricity to one other corporation or person located on the real property on which the electricity is generated for the purpose of operating a seawater desalination plant producing water for sale to the electrical generating facility.

Status: Assembly Utilities and Commerce

Recommendation: Watch

AB 925 (Richman) Powerplants: Permits

Purpose: Reduces the number of conditions a power plant must meet to qualify for an expedited permit, including deleting the requirement that the power plant either be modified, replaced, removed, or cease to operate in 3 years. Extends indefinitely the provision requiring the State Energy Resources Conservation and Development Commission to establish a process for the expedited review of applications to construct and operate thermal power plants.

Status: Assembly Natural Resources

Recommendation: Watch

AB 1015 (Laird) Land use: Water Supply

Purpose: Requires the land use element of the general plan of a city or county to be amended by July 1, 2006, to identify existing and planned sources of water supply, including groundwater, that are expected to be adequate to serve existing and planned future development and land uses in average, dry, and multiple dry years

Status: Assembly Local Government

Recommendation: Watch

AB 1020 (Laird) Public Water Systems: Civil Actions; Contaminants

Purposes: Authorizes a public water system to bring a civil action against the party responsible for the presence of a contaminant in surface water or groundwater supplies utilized by the public water system for drinking water purposes, for designated costs to the public water system associated with the investigation, remediation, filtration, or treatment of water containing that contaminant.

Status: Assembly Environmental Safety and Toxic Materials

Recommendation: Support. Eases recovery by the City of San Diego against polluters.

AB 1169 (Bermudez) Energy

Purpose: States the intent of the Legislature to develop legislation relating to energy produced in this state.

Status: Introduced

Recommendation: Watch. Spot bill.

AB 1214 (Firebaugh) Net Energy Metering: Fuel Cell Customer Generators

Purpose: Requires every electrical corporation to provide net energy metering for eligible fuel cell customer-generators until the total cumulative rated generating capacity used by the eligible fuel cell customer-generators equals 75 megawatts within their service territory.

Status: Assembly Utilities and Commerce

Recommendation: Support

AB 1237 (Salinas) Electrical Corps.: Nonprofit Organization Energy Efficiency Revolving Loans

Purpose: Requires that a program implementation plan filed by an electrical corporation with the Public Utilities Commission for the funding of the energy efficiency and conservation activities include a revolving direct loan program for energy efficiency improvements at facilities that are owned and operated by nonprofit organizations.

Status: Assembly Utilities and Commerce

Recommendation: Watch

Energy

AB 151 (Vargas): Air Pollution Importation of Electrical Energy Purpose: Requires any person that imports electrical energy into the State, or causes electricity to be imported into the State, to pay a per kilowatt hour air contaminant emission mitigation fee for that electricity, not to exceed the cost of mitigation, as determined by the State Air Resources Board; establishes the Imported Electricity Air Pollution Mitigation Sub-account in the Air Pollution Control Fund.

Status: Assembly Utilities and Commerce Committee

Recommendation: Support

AB 1352 (Maddox) Municipally Owned Utilities

Purpose: States legislative intent to facilitate in subsequent amendments the most efficient operation of municipally owned utilities by restructuring the functions and duties of the various state agencies responsible for oversight and governance of the electrical utility market.

Status: Introduced

Recommendation: Watch

SB 46 (Alpert): Distributed Energy Resources

Purpose: Expands distributed energy resources criterion to include electric generation technology that commenced between 05/01/01 and 06/01/05, except that gas-fired distributed energy resources that are not operated in a combined heat and power application must commence operation by 09/01/02.

Status: Senate Energy, Utilities and Communications Committee

Recommendation: Support

SB 72 (Dunn): Independent System Operator

Purpose: States legislative intent in subsequent amendments to remove control of this state's electricity transmission system from the Independent System Operator.

Status: Senate Rules Committee

Recommendation: Oppose

Water

SB 117 (Machado): Quantification Settlement Agreement

Purpose: Declares the intention of the Legislature that the Coachella Valley Water District, the Imperial Irrigation District, and the Metropolitan Water District of Southern California approve the Quantification Settlement Agreement so that certain federal guidelines relating to the Colorado River may be reinstated by the U.S. Department of Interior and that the transfer of water from the Imperial Irrigation District to the San Diego Water Authority be implemented.

Status: Senate Rules Committee

Recommendation: Support

AB 306 (Kehoe): Water Meters

Purpose: Repeals a provision relating to the state goal for water measurement. Requires a water purveyor, by January 1, 2008, to install a water meter on service connections to residential and nonagricultural commercial buildings constructed prior to January 1, 1992. Requires a water purveyor, by January 1, 2009, to charge customers for water based on the actual volume of deliveries, as measured by a water meter.

Status: Assembly Water, Parks and Wildlife Committee

Recommendation: Support

Solid Waste**SB 13 (Romero): Radiation Safety Act of 2003**

Purpose: Prohibits the disposal of radioactive waste at a hazardous waste disposal facility that is subject to the State hazardous waste control laws. Exempts the disposal of solid or hazardous waste that contains TENORM (material that derives its radioactivity from naturally occurring sources of radiation in rocks, soil or minerals) at a solid or hazardous waste disposal facility from the licensing requirements imposed under the Radiation Control Law. Enacts the Radiation Safety Act.

Status: Senate Environmental Quality Committee

Recommendation: Watch

Recycling**SB 23 (Sher): Beverage Containers**

Purpose: Authorizes the Department of Conservation to pay the quality glass incentive payment to any operator that processes mixed color cullet to enable glass beverage containers to be utilized in the production of glass containers or fiberglass. Authorizes the department to increase recycling rates for plastic beverage containers by paying a plastic beverage container recycling incentive payment to eligible certified entities.

Status: Senate Natural Resources and Wildlife Committee

Recommendation: Support

AB 1317 (Parra) Environmental Protection

Purpose: Deletes the Jan 1, 2004 repeal date of the Agricultural Biomass-to-Energy Incentive Grant Program, which permits air districts to receive grants to provide incentives to facilities that convert qualified agricultural biomass to fuel, thereby extending the program indefinitely.

Status: Assembly Natural Resources

Recommendation: Support

AB 1375 (Daucher) Waste Discharge Requirements: Municipal Separate Storm Sewer Systems

Purpose: Requires Water Resources Control Board and regional boards to prescribe and enforce waste discharge requirements for municipal separate storm sewer systems in conformance with the maximum extent practicable standard set forth in the Clean Water Act. Defines the term "maximum extent practicable" for purposes of those provisions.

Status: Assembly Environmental Safety and Toxic Materials

Recommendation: Watch

AB 1405 (Wolk) California Watershed Protection & Restoration

Purpose: Enacts the California Watershed Protection and Restoration Act. States the policy of the state to endorse local, collaborative watershed partnerships as being in the

state's interest in terms of effectiveness, citizen involvement, and community responsibility

Status: Assembly Natural Resources

Recommendation: Support to the extent this assists resolution of IID agreement

AB 1406 (Wolk) Prop 50 Funds

Declares that it is the intent of the Legislature to appropriate funds made available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 for wetland projects that incorporate mosquito abatement features.

Status: Introduced

Recommendation: Oppose. Earmarks Prop 50 funds

SB 277 (Ducheny) Salton Sea: Colorado River

Purpose: Makes legislative findings and declarations concerning the restoration of the Salton Sea and California's entitlement to the use of 4.4 million acre-feet of Colorado River water.

Status: Senate Rules

Recommendation: Support to the extent this helps finalize IID agreement

SB 289 (Murray) Residential Solar Energy Systems

Purpose: Prohibits the construction of a single-family residence that is intended for sale, unless the owner of the property offers potential bona fide purchasers the option of including a solar energy system on the residence before construction. Prohibits the construction of a single-family residence after January 1, 2006, unless the single-family residence is built with a solar energy system that converts the sun's energy into more than 50% of the energy needed.

Status: Senate Housing and Community Development

Recommendation: Support

SB 312 (Machado) Urban Landscape Water Conservation

Purpose: Renames the Water Conservation in Landscaping Act as the Urban Landscape Water Conservation Act of 2003, and declares the Legislature's intent to modify the model water efficient landscape ordinance developed pursuant to the act to better promote the efficient use of water in the landscape while respecting the economic, environmental, aesthetic, and lifestyle choices of individuals and property owners.

Status: Senate Agriculture and Water Resources

Recommendation: Support

SB 318 (Alpert) Urban Water Suppliers: Desalinated

Purpose: Requires an urban water management plan to describe the opportunities for development of desalinated water as a long-term supply.

Status: Senate Agriculture and Water Resources

Recommendation: Watch

SB 411 (Ducheny) Water Security, Coastal and Beach Protection Act

Purpose: Appropriates and unspecified amount of bond funds available by the Water Security, Clean Drinking Water, Coastal and Beach Protection Act to the Resources Agency to finance restoration activities at the Salton Sea or the lower Colorado River, or to assist in the development of a natural community conservation plan.

Status: Senate Agriculture and Water Resources

Recommendation: Watch

SB 479 (Machado) Water Transfers

Purpose: Authorizes the Water Resources Control Board to approve a petition for a long term transfer of water only if it determines that the proposed transfer would not cause substantial, negative third party impacts.

Status: Senate Agriculture and Water Resources

Recommendation: Oppose

SB 518 (Escutia) Water Security, Coastal and Beach Protection

Purpose: Appropriates an unspecified amount of funds made available by Prop 50 for unspecified purposes.

Status: Senate Agriculture and Water Resources

Recommendations: Oppose, earmarks Prop. 50 funds

SB 520 (Sher) ISO

Purpose: Requires the Independent System Operator to conduct an internal performance review and operational cost analysis comparing its costs with other system operators and to prepare and submit a report on its findings and conclusions to the Legislature.

Status: Senate Energy, Utilities and Communications

Recommendation: Support

SB 543 (Machado) Groundwater: Physical Solutions

Purpose: Authorizes the State Water Resources Control Board to file an action to prevent the impairment of rights to groundwater.

Status: Senate Agriculture and Water Resources

Recommendation: Watch

SB 563 (Ackerman) Water Quality Information Clearinghouse

Purpose: Appropriates funds from bond funds made available by the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 to the University of California to fund the establishment of a Water Quality Information Clearinghouse, whose purpose would be to consolidate relevant information on water quality studies, available technologies, state regulations, and public and private grants.

Status: Senate Environmental Quality

Recommendation: Support

SB 572 (Ducheny) Natl. Community Conservation Plan

Purpose: Adds a natural community conservation or subarea plan initiated prior to Jan. 1, 2000 by Sweetwater Authority, Helix Water Dist., Padre Dam Municipal Water Dist., or Santa Fe Irrigation Dist. that is consistent with the San Diego Multiple Species Conservation Program, to the provisions of law enumerating those specified plans.

Status: Senate Natural Resources and Wildlife

Recommendation: Support

SB 654 (Ag & Water) Urban Water Mgt Plans

Purpose: Requires an urban water supplier to submit a copy of its urban water mgt plan to the California State Library; Provides that existing law that requires groundwater management plan to include certain components to qualify as a plan for the purposes including a provision establishing funding requirements for the construction of certain groundwater projects to apply the requirements only to the construction of such projects.

Status: Senate Agriculture and Water Resources

Recommendation: Watch

SB 697 (Soto) Public Utilities: Community Choice Aggregation

Purpose: Requires the Public Utilities Commission, upon the filing of a petition or other appropriate procedure determined by the commission, and upon the meeting of certain conditions, to establish separate distribution service rates and charges by an electrical corporation, for electricity, from an eligible renewable electricity generation source that is supplied to end use customers by an electric service provider.

Status: Senate Energy, Utilities and Communications

Recommendation: Support

SB 750 (Machado) Safe Drinking Water, Water Quality Act

Purpose: Enacts the Safe Drinking Water, Water Quality, Flood Protection, and Water Supply Reliability Act of 2004.

Status: Senate Energy, Utilities and Communications

Recommendation: Support

SB 944 (Hollingsworth) Imperial Valley Water Quality Protection Account

Purpose: Establishes the Imperial Valley Water Quality Protection Trust Account. Requires the Department of Water Resources to expend the funds in the account only to acquire water to prevent a material increase in salinity of the Salton Sea. Requires the department to expend these funds in proportion to the amount of water transferred in accordance with the terms of the Quantification Settlement Agreement.

Status: Senate Agriculture and Water Resources

Recommendation: Watch



Environmental Stewardship

Priority

San Diego River Conservancy: Amendments to allow either the Mayor to sit on the board or to appoint an alternate who resides in the City of San Diego and is confirmed by the City Council of San Diego.

ACA 10 (Harmon): Local Government; property related fees; storm water

Purpose: Proposes a Constitutional amendment to exclude fees and charges for storm water and urban runoff management from voter approval requirements for the imposition or increase of property-related charges and fees.

Status: Assembly Local Government

Recommendation: Support

General Legislative Positions

Air Quality

AB 927 (Campbell): Air Pollution; hydrogen refueling stations

Purpose: Requires the Air Resources Board to adopt regulations establishing statewide guidelines for the production and licensing of hydrogen fuel cell refueling stations, in collaboration with the Dept of Transportation, the Public Utilities Commission, and the State Energy Resources Conservation and Development Commission. Requires agencies to perform those activities utilizing existing funding resources.

Status: Assembly Transportation Committee

Recommendation: Watch

AB 974 (Nation): Coastal Zone; Native American Sites

Purpose: Requires mitigation measures to be taken where development would adversely impact Native American culturally significant sites, as identified by the State Historic Preservation Officer.

Status: Assembly Natural Resources

Recommendation: Watch

SB 694 (Natural Resources and Wildlife Committee): Sudden Oak Death

Purpose: Changes the Dept of Forestry and Fire Protection's required expenditure for sudden oak death management activities to at least 35% of the funds appropriated for sudden oak death management activities.

Status: Senate Appropriations

Recommendation: Support

SB 925 (McPherson): Invasive species

Purpose: Relates to the development of a comprehensive plan for dealing with aquatic invasive species in California. Makes technical, nonsubstantive changes to that definition.

Status: Senate Rules Committee

Recommendation: Watch

SB 972 (Denham): Noxious weeds

Purpose: Amends existing law concerning the noxious weed management program.

Status: Senate Rules Committee

Recommendation: Watch

AB 455 (Chu): Toxics in Packaging Prevention Act

Purpose: Enacts the "Toxics in Packaging Prevention Act"; prohibits a manufacturer or distributor from offering for sale or for promotional purposes in this State any package or packaging component that includes any lead, cadmium, mercury, or hexavalent chromium in specified amounts, if that regulated metal has been intentionally introduced as an element during manufacturing or distribution.

Status: Assembly Environmental Safety and Toxic Materials Committee

Recommendation: Support

AB 623 (Lieber): Hazardous Chemicals; discharge; warnings

Purpose: Prohibits a person from discharging or releasing, in the course of doing business, a chemical known to the state to cause cancer or reproductive toxicity into water or onto land where the chemical passes or is likely to pass into any source of drinking water, except as specified. Prohibits a person from exposing any individual, in the course of doing business, to a chemical known to cause cancer without first providing clear and reasonable warning.

Status: Assembly Judiciary Committee

Recommendation: Watch

AB 1367 (Laird): Hazardous Waste; regulation

Purpose: Authorizes the Dept of Toxic Substances Control to adopt alternative hazardous waste management standards by regulation for hazardous waste management activities meet specified criteria. Requires the department to make specified findings and analysis available to the public before adopting regulation.

Status: Assembly Environmental Safety and Toxic Materials Committee

Recommendation: Watch

AB 1640 (Laird): Hazardous Materials; enforcement

Purpose: Authorizes a unified program agency to suspend or revoke any unified program facility permit or element of a unified program facility permit for a violation of the permit requirements. Requires the permittee, if the permit or element is suspended or revoked, to immediately discontinue operating that facility or applicable unified program element until the permit is reinstated or a new permit is issued.

Status: Assembly Environmental Safety and Toxic Materials Committee

Recommendation: Oppose unless amended

SB 201 (Romero): Radioactive Materials

Purpose: Repeals the Radiation Control Law and enacts the Radioactive Materials Management Act, which would transfer the authority of the State Department of Health Services (DHS) under that law to the Department of Toxic Substances Control. Enacts the Nuclear Medicine and Radiological Materials Licensing Act and would authorize the DHS to regulate, under that act, radioactive materials or sources of ionizing radiation that are located at a health care facility.

Status: Senate Environmental Quality

Recommendation: Watch

SB 493 (Cedillo): Hazardous substances; liability

Purpose: Immunizes innocent or bonafide prospective purchasers, as defined in the Comprehensive Environmental Response, Compensation and Liability Act from liability under specified State or local laws for the cost of response associated with a release or threatened release of a hazardous material at a site if the innocent or bonafide prospective purchaser meets specified conditions. Exempts person with adjacent property.

Status: Senate Rules Committee

Recommendation: Oppose

AB 734 (Montanez): Large Venue Recycling

Purpose: Declares the intent of the Legislature to enact legislation to require businesses that own large venues, such as large arenas and amusement parks, to establish and implement diversion or waste reduction programs to reduce the amount of solid waste produced by those businesses.

Status: Introduced

Recommendation: Support

AB 1174 (Leslie): Electronic Waste Products

Purpose: Defines "electronic waste" for purposes of state recycling programs administered by the California Integrated Waste Management Board.

Status: Assembly Natural Resources Committee

Recommendation: Watch

AB 1466 (Koretz): Rigid plastic packaging container

Purpose: Defines the term plastic container for purposes of the California Integrated Waste Management Act, and revises the definition of recycling rate to instead include plastic containers.

Status: Assembly Natural Resources

Recommendation: Support

AB 1599 (Harman): Beverage container recycling & litter reduction act

Purpose: Makes a technical, nonsubstantive change to the provisions relating to funding for purposes of beverage container recycling and litter reduction.

Status: Introduced

Recommendation: Watch

SB 202 (Romero): Wood Waste; Preservatives

Purpose: Repeals the exemption for wood waste from the hazardous waste control laws. Prohibits any person from using chromated copper arsenate (CCA), pentachlorophenol (penta) or creosote to treat wood products or manufacturing a wood product treated with those substances. Provides that wood waste containing any measurable level of CCA, penta, or creosote is a hazardous waste for purposes of the hazardous waste control laws.

Status: Senate Environmental Quality
Recommendation: Oppose unless amended

SB 309 (Sher): Convenience zones; designation

Purpose: Requires the Department of Conservation, for purposes of the Beverage Container Recycling and Litter Reduction Act, to designate all convenience zones and to prepare a map or maps showing these convenience zones at least annually.

Status: Senate Natural Resources and Wildlife

Recommendation: Watch

SB 517 (Karnette): Rigid plastic packaging containers

Purpose: Relates to the California Integrated Waste Management Act, which requires every rigid plastic packaging container sold or offered for sale in this state to generally meet one of specified criteria. Includes, as a permitted criteria, that the container be made of biodegradable plastic.

Status: Senate Environmental Quality

Recommendation: Oppose

Proposition 50

AB 120 (Wyland): Clean Drinking Water

Purpose: Appropriates bond funds from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 to the State Water Resources Control Board for the purposes of making a grant to the Southern California Caulerpa Action Team to eradicate *Caulerpa taxifolia*, or its clones or derivatives, in the Auga Hedionda Lagoon.

Status: Assembly Environmental Safety and Toxics Committee

Recommendation: Watch – Include AB 120 in GRD’s list of Proposition 50 bills to watch/engage in order to secure San Diego’s “fair share” of bond funds.

Native American Sites

SB 22 (Sher): Surface Mining and Reclamation

Purpose: Relates to the Surface Mining and Reclamation Act, which prohibits a person from conducting surface mining operations without obtaining a permit from the lead agency for those operations. Repeals the provision which makes certain requirements applicable to a lead agency contingent on the enactment of SB 1828 on or before January 1, 2003. In California, one site would qualify, Glamis Imperial Mining Project (Glamis). The Glamis mine is an open-pit, cyanide heap-leach gold mine on 1,500 acres of public land that would potentially destroy sacred sites of critical religious and cultural importance to the Quechan Indian tribe.

Status: Assembly Appropriations Committee

Recommendation: Watch. A similar bill last year included language that would have applied to areas within 50 miles of a Native American site, whereas SB 22 has a limit of 1 mile. That bill was opposed by the City and should SB 22 be amended to expand the distance away from Native American sites, a formal position may need to be adopted.

Water Quality

AB 847 (Pavley) Natural Resources: State Coastal Conservancy

Purpose: Authorizes the State Coastal Conservancy to undertake watershed and coastal water quality projects, or award grants for those projects, to improve coastal water quality and protect marine resources in sensitive habitat areas.

Status: Introduced

Recommendation: Support

AB 951 (Bates) Muni Storm Water

Purpose: States the intent of the Legislature, in subsequent amendments, to require the State Water Resources Control Board to convene an advisory panel focused on improving the municipal storm water permit system and recommending provisions to ensure fair treatment of municipalities statewide.

Status: Introduced

Recommendation: Watch

SB 68 (Alpert): Water Quality: San Diego Bay

Purpose: Establishes the San Diego Bay Advisory Committee for Ecological Assessment. Requires the committee to prepare a report relating to the water quality and regulation of the San Diego Bay. Provides for the composition of the committee. Prohibits the committee members from receiving any compensation or from being reimbursed for expenses incurred in the performance of their duties. Authorizes the committee to accept grants to carry out its reporting duties.

Status: Senate Environmental Quality Committee

Recommendation: Support if the advisory committee membership includes representation by environmental organizations.



Housing

Priority

AB 1475 (Steinberg) Housing: Homeless

Purpose: Requires that the Department of Housing and Community Development's selection criteria for funds under the Multifamily Housing Program give priority to projects that include a supportive services component that meets specified criteria, which may include participating in an evaluation under the criteria set forth in the Adult and Older Adult Mental Health System of Care Act.

Status: Assembly Housing and Community Development

Recommendation: Support

General Legislative Positions

AB 218 (Simitian) Local Planning: Housing Element

Purpose: Defines "housing unit" and "unit" for purposes of housing element requirements under the Planning and Zoning Law. Requires the Department of Housing and Community Development, when evaluating whether a housing element is consistent with state law, to count congregate housing for seniors that is identified within the housing element of a city or county for purposes of determining if the city or county meets its share of the regional housing needs.

Status: Assembly Local Government

Recommendation: Watch (Spot Bill)

AB 332 (Mullin) Airports: Land Use Planning

Purpose: Declares the intent of the Legislature to clarify that school districts and community college districts are subject to an airport comprehensive land use compatibility plan. Provides that a local or public agency may propose to overrule an airport land use commission's action or recommendation affecting an airport within the jurisdiction of that public agency after a hearing.

Status: Assembly Local Government

Recommendation: Support (Planning issue)

AB 1112 (Lowenthal) Housing Opportunity Districts

Purpose: Enacts the Housing Near Transit Act, which would authorize a city, county, or city and county that has adopted a resolution of intent, to create a housing transit district, subject to approval by the Department of Housing and Community Development. Requires the property tax revenues resulting from increases in assessed value due to affordable housing construction be paid to the district.

Status: Assembly Housing and Community Development

Recommendation: Seek Amendments

AB 1160 (Steinberg) Housing: Second Units

Purpose: Provides that a local agency that has not adopted a specified ordinance may not require a variance or special use permit and shall approve an application for a 2nd unit that complies with the statutory requirements. Provides that multi-family and single-family residential use is a permitted use on any parcel zoned and developed for primary or secondary education.

Status: Assembly Local Government

Recommendation: Oppose. Removes local control in favor of the State.

AB 1217 (Leno) Rental Property: Residential Hotels

Purpose: Relates to the Ellis Act, which generally prohibits public entities from adopting an ordinance or regulation to compel the owner of residential property to offer or to continue to offer accommodations for rent or lease. Exempts guestrooms or efficiency units within a residential hotel, as defined, from this prohibition.

Status: Assembly Housing and Community Development Committee

Recommendation: Watch.

AB 1358 (Simitian) Redevelopment: Cities: Housing

Purpose: Provides for the care and treatment of persons with mental disorders who are eligible for the Medi-Cal program in a county psychiatric health facility in San Luis Obispo County, regardless of the bed capacity.

Status: Assembly Housing and Community Development

Recommendation: Watch

AB 1400 (Wolk) Housing Accessibility

Purpose: Requires a developer of any new residential housing development to offer a buyer, at the buyer's expense, the option of making the home entrance, if topographically feasible, and the kitchen and bathrooms, fully accessible to persons with disabilities.

Status: Assembly Housing and Community Development

Recommendation: Watch

SB 178 (Cedillo) Rent Control

Purpose: Includes as an exception to the Costa-Hawkins Rental Housing Act a rent restriction pursuant to a requirement of a public entity that developers of new or rehabilitated units restrict the rents and incomes of occupants for a portion of the units.

Status: Senate Judiciary

Recommendation: Support

SB 353 (Ducheny) Multifamily Rental Housing Program

Purpose: Deletes the requirement under the Multifamily Rental Housing Program that any mortgage that encumbers a rental housing development as security for an obligation to the agency to have priority over any covenant or restriction imposed on the housing development as a condition for qualifying it for any financial assistance.

Status: Senate Housing and Community Development

Recommendation: Support

SB 491 (Ducheny) Local Govt.: Housing Element

Purpose: Relates to existing law that requires local governments within the regional jurisdiction of the San Diego association of Governments to revise the housing elements of their general plans by June 30, 2004, for the 4th revision. Extends the date for that 4th

revision to December 31, 2004, for the local governments within the regional jurisdiction of the San Diego Association of Governments.

Status: Senate Housing and Community Development

Recommendation: Support

SB 619 (Ducheny) Housing

Purpose: Relates to existing law that prohibits a local agency from prohibiting or discriminating against a residential development or emergency shelter because of specified reasons. Prohibits those actions from being taken because the development consists of a multifamily residential project or because of the method of financing or other specified assistance, and would include actions taken based in whole or in part on the specified reasons.

Status: Senate Housing and Community Development

Recommendation: Watch

SB 744 (Dunn) Planning: Housing

Purpose: Provides that a city, county, or city and county that has met at least 10% of its housing needs for each of the very low, low-, and moderate-income categories during the preceding year or 30% over the preceding 3 years shall receive priority eligibility in the award of competitive state grants or loans for planning, infrastructure, commercial or industrial development, or other economic development.

Status: Senate Housing and Community Development

Recommendation: Watch.

AB 35 (Wiggins): Local Planning Agencies; Duties

Purpose: Relates to the Planning and Zoning Law that requires the planning agency to provide an annual report on the status of the general plan and progress in meeting the community's share of regional housing needs. Requires the report to include the degree to which the approved general plan complies with specified guidelines for the preparation of the mandatory elements of the general plan and the date of the last revision to plan.

Status: Assembly Local Government and Housing and Community Development

Recommendation: Oppose

AB 77 (La Suer): San Diego County Regional Airport Authority

Purpose: Excludes unincorporated community of San Diego County known as Ramona from the Regional Airport Authority's exclusive responsibilities to study, plan, and implement any improvements, expansion, or enhancements at existing or future airports.

Status: Assembly Transportation

Recommendation: Oppose



Municipal Revenues & Operations

Priorities

Fiscal Reform (TBD)
Workers Comp (TBD)
Retirement Reciprocity: Budget Bill amendments

AB 146 (Kehoe): Child support

Purpose: Extends the low-income adjustment, for purposes of child support, to a parent with a net monthly disposable income of less than \$1,500. Authorizes the court in any default proceeding for child support to use specified statements and information in determining income, if a party fails to appear or provide that information.

Status: Assembly Judiciary

Recommendation: Watch – This bill is likely the vehicle for an attempt to extend the timeframe by which residents can remain at De Anza Mobile Home Park.

AB 361 (Kehoe): San Diego Consolidated Transportation Agency

Purpose: Requires the San Diego Consolidated Transportation Agency to have concluded the public process of preparing and adopting a regional comprehensive plan by June 30, 2004. Requires the agency to make the regional plan policies and objectives available to all local agencies and to maintain data, maps, and other information used in formulating the plan in a form suitable for the availability of and use by other government agencies.

Status: Assembly Transportation and Assembly Local Government

Staff Recommendation: Watch

AB 406 (Jackson): Environmental Quality

Purpose: Prohibits a person, including a project applicant or applicant's retained consultant, from submitting a draft environmental review document to the public agency responsible for reviewing the project. Prohibits a public agency responsible for reviewing environmental documents from accepting comments on a draft document until commencement of the comment period.

Status: Assembly Natural Resources

Recommendation: Oppose

AB 136 (Kehoe): Worker's compensation; disability; leaves of absence

Purpose: Provides that police officers, sheriffs, or firefighters are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment, for the period of disability, but not exceeding 2 years.

Status: Assembly Insurance

Recommendation: Watch

Bond Measures

SB 778 (Ortiz): Biomedical Research & Development Act of 2004

Purpose: Enacts the Biomedical Research and Development Act of 2004, which if adopted, would authorize the issuance of bonds in an unspecified amount for purposes of financing a specified biomedical research and development program.

Status: Senate Health and Human Services

Recommendation: Watch

SB 887 (Perata): Seaports – security infrastructure improvement bond

Purpose: Enacts the Seaport Security and Port Neighborhood Transportation, Clean Air, and Navigation Improvement Bond Act. Authorizes the issuance of bonds for purposes of financing a seaport security and port neighborhood transportation, clean air, and navigation improvement program. Requires voter approval.

Status: Senate Governmental Organization

Recommendation: Watch

SB 998 (Bowen): Economic Stimulus and Public Infrastructure Security and Investment Bond Act

Purpose: Enacts the California Economic Stimulus and Public Infrastructure Security and Investment Bond Act, which authorizes, for the purpose of financing a program for economic stimulus and infrastructure investment, the issuance of bonds in the amount of \$1,045,000,000. Requires the Secretary of State to submit the bond act to the voters at the next statewide election.

Status: Senate Governmental Organization

Recommendation: Watch

AB 1066 (Liu): Seismic Safety Bond Act

Purpose: Enacts the Seismic Safety Bond Act of 2004 which, if adopted, would authorize the issuance of bonds in an amount of \$700 million to be allocated to the California Seismic Safety Bond Fund of 2004 to fund local government building and facility seismic safety retrofit projects.

Status: Assembly Business and Professions

Recommendation: Watch

Employees

AB 285 (Negrete McLeod): Public retirement systems; reciprocity

Purpose: Eliminates restrictions regarding the period of time between the member's public employment subject to the various reciprocal retirement systems and would thereby make those reciprocal benefits available irrespective of the length of that intervening period.

Status: Assembly Public Employees, Retirement and Social Security

Recommendation: Support

SB 927 (Alarcon): Stadiums and Arenas; health care benefits

Purpose: Require the operator of any stadium or arena, any portion of which is publicly financed or assisted in its operation by public funds, that is used by a sports team, to annually assess a fee on every professional sports team using the stadium to support 25%

of the annual health care benefit costs of maintenance and support employees of the stadium or arena.

Status: Senate Industrial Relations

Recommendation: Oppose

Local Government Taxation

AB 272 (Dutton): Sales and Use Taxes; Exemptions; Qualified Items

Purpose: Exempts from sales and use taxes qualified items that are purchased, stored, used, or consumed by a local emergency service provider. Provides that this exemption does not apply to local sales or transactions and use tax rates and certain state rates imposed for the funding of locally provided services.

Status: Assembly Revenue and Taxation Committee

Recommendation: Support

AB 646 (Mullin): Local Agencies; revenue sharing

Purpose: Requires that cities and counties that adopt regional tax revenue-sharing agreements, including contracts that apportion sales tax generated by automobile dealerships or big box retailers, be given priority eligibility in the awarding of competitive state infrastructure funds.

Status: Assembly Local Government

Recommendation: Watch

AB 1040 (Leno): Occupancy taxes; cigarette taxes

Purpose: Makes technical, nonsubstantive changes to provisions that authorize cities and counties to levy specified transient occupancy taxes, and provisions of the Cigarette and Tobacco Products Tax Law.

Status: Introduced

Recommendation: Watch

AB 1221 (Steinberg): Taxation

Purpose: Prohibits, on or after July 1, 2004, a city from imposing a sales and use tax under the Bradley-Burns Uniform Local Sales and Use Tax Law at a rate in excess of 1/2 of 1% and a county from imposing a sales and use tax at a rate in excess of 3/4 of 1%. Increases, on and after July 1, 2004, the sales and use tax rate under the Sales and Use Tax Law by 1/2 of 1%. Increases, for the 2004-05 fiscal year, the property tax deemed allocated to cities and counties.

Status: Assembly Revenue and Taxation

Recommendation: Watch

AB 1487 (Levine): Sales tax; infrastructure

Purpose: Declares the Legislature's intent to enact legislation that would utilize sales taxes to fund state infrastructure projects.

Status: Introduced

Recommendation: Watch

AB 1502 (Laird): Natural Heritage Preservation Tax Credit Act

Purpose: Allows any public entity, authorized to acquire interests in property from state bonds approved by the voters, to expend bond funds by paying to the General Fund the amount of the tax credit necessary to acquire the property by donation pursuant to the Natural Heritage Preservation Tax Credit Act.

Status: Assembly Revenue and Taxation

Recommendation: Support

AB 1602 (Bates): Local Government Finance

Purpose: Allows a qualified county, in a qualified fiscal year, to apply to the Governor to request that local agencies in that county be permitted to negotiate the allocation of that portion of the annual tax increment that exceeds 2% of total property tax revenues allocated in the county for the immediately preceding fiscal year. Provides that school entities be reimbursed by the state for any revenue losses resulting from the bill.

Status: Assembly Local Government

Recommendation: Watch

AB 1690 (Leno): Fire protection finance agencies

Purpose: Authorizes any city, county, or city and county to form a fire protection finance agency for the purposes of supplementing fire protection services and financing needed capital improvements for its fire department or for any other public agency that provides fire protection services within its boundaries.

Status: Assembly Local Government

Recommendation: Watch

ACA 7 (Dutra): Transportation Funding; Sales and Use Tax

Purpose: Authorizes a county, a city and a regional transportation agency to impose an additional sales and use tax for a period of 20 to 30 years at a rate of 0.5% exclusively for transportation purposes within the jurisdiction of the county, city or regional transportation agency if the additional tax is approved by 55% of the voters of the jurisdiction voting on the proposition to impose the tax.

Status: Assembly Transportation Committee

Recommendation: Support

ACA 9 (Levin): Local Government Taxation; special taxes

Purpose: Proposes a Constitutional amendment to change voter-approval requirements to authorize a city, county, or special district, but not a school entity under certain circumstances, to impose a special tax with the approval of a majority of its voters voting on the tax, and authorizes a city and county to impose a general tax with the approval of 2/3 of the voters of the city or county voting on the tax.

Status: Assembly Local Government

Recommendation: Watch

ACA 12 (Leslie): Government Spending

Purpose: Enacts provisions designated as the California Fiscal Responsibility and Taxpayer Protection Act. Limits annual state revenue increases in a calendar year from taxes, fees, or other means to the percentage increase in the Consumer Price Index or comparable data for California for the previous calendar year, and would limit annual state General Fund expenditures to the percentage increase in California personal income.

Status: Introduced

Recommendation: Watch

SB 526 (Torlakson): Property tax revenue shifts; exemption

Purpose: Reduces the reduction and transfer amounts of qualified local agencies by the property taxes lost as a result of granting a specified exemption from property taxes for affordable housing developments that are put into service on or after a specified date.

Status: Senate Local Government

Recommendation: Watch

SB 959 (McClintock): Sales & Use Tax

Purpose: Technical, nonsubstantive change to existing law authorizing the imposition of a sales and use tax on retail sales of tangible personal property and provides that the sale of tangible personal property to a contractor or subcontractor for use in the performance of contracts with the United States is a retail sale.

Status: Senate Rules Committee

Recommendation: Watch

Permitting, Contracts and Zoning

AB 281 (Bermudez): Local Agency Public Construction Act: Bidders

Purpose: Prohibits the standardized questionnaire from requiring a prospective bidder for a public works contract to demonstrate financial capacity other than the bidder's ability to secure a payment bond. Requires a public entity that establishes a prequalification process to provide notice of this process, and to notify prospective bidders of their prequalification status within 15 business days of the closing time for bids.

Status: Assembly Local Government

Recommendation: Watch

AB 470 (Bermudez): Conditional Use Permit; religious facility

Purpose: Prohibits any requirement by a city or county for a conditional use permit for any facility to be used primarily as a place of religious services, religious worship, or religious activities and that is located on land that is zoned for religious use.

Status: Assembly Local Government

Recommendation: Oppose

AB 677 (Firebaugh): Environmental Quality Act

Purpose: Requires a local agency or specified person, when the agency determines that a project is exempt from the California Environmental Quality Act's requirements for certain reasons and when the agency approves or determines to carry out that project, to file notice of the determination with the Office of Planning and Research.

Status: Assembly Natural Resources

Recommendation: Oppose

AB 1034 (Mullin): Housing; building standards

Purpose: Authorizes the collection of fees, costs, or charges incurred in the correction of any violation of building standards regulations or ordinances. Requires certain local ordinances/regulations to permit the replacement, retention, and extension of original materials and the use of methods of construction for any building or accessory structure, as long as the portion of the building complies with the building code provisions governing that portion.

Status: Assembly Housing and Community Development

Recommendation: Support

AB 1189 (Wiggins): Public Contracts

Purpose: Enacts the "California First" Procurement Act to express legislative intent that California-based business bidders have precedence over non-California based bidders in the application of any bidder preference for which non-California based business bidders may be eligible.

Status: Introduced

Recommendation: Watch

AB 1228 (Dutton): Zoning ordinances; radio antennas

Purpose: Requires that any ordinance adopted by the legislative body of a city or county that regulates amateur radio station antenna structures not preclude amateur radio service communications, reasonably accommodate amateur radio service communications, and allow amateur radio station antenna structures to be erected at heights and dimensions sufficient to accommodate amateur radio service communications.

Status: Assembly Local Government

Recommendation: Oppose

AB 1322 (Horton, S): Environmental Quality; exception

Purpose: Provides an exemption from the California Environmental Quality Act's requirements for a project that is consistent with a properly granted zoning variance from a general plan of a local agency for which an environmental impact report was certified.

Status: Assembly Natural Resources

Recommendation: Support

AB 1347 (Maze): Development Agreements

Purpose: Requires every city, county, or city and county to deposit any fee it receives or cost it recovers in connection with a development agreement into a special account whose receipts and disbursements shall be reported publicly at least every 12 months. Provides that the record of those transactions would be a public record available for inspection at any time pursuant to the Public Records Act.

Status: Assembly Local Government

Recommendation: Oppose

AB 1421 (Cogdill): Public Works; prevailing wage

Purpose: Exempts public works financed through the use of industrial development bonds under the California Industrial Development Financing Act from compliance with laws relating to payment of prevailing wages. Redefines public works under the Act. Exempts from prevailing wage requirements community facilities districts located w/i the boundaries of a charter city that has adopted a resolution/ordinance exempting itself.

Status: Assembly Labor and Employment

Recommendation: Support

SB 699 (Sher): Local planning agencies; duties

Purpose: Require general plans to include the degree to which the approved general plan complies with specified guidelines for the preparation of the mandatory elements of the general plan and the date of the last revision to the general plan. By imposing new duties on planning agencies, the bill would create a state-mandated local program.

Status: Senate Local Government

Recommendation: Oppose

SB 898 (Burton): Soil conservation

Purpose: Prohibits any city, county, city and county, or other local governmental agency from zoning or rezoning agricultural land that qualifies as a specified class.

Status: Senate Local Government

Recommendation: Oppose

SB 997 (Sher): Land Use; development fees

Purpose: Provides that the identification of the public facilities may be made in an applicable general or specified plan for purposes of the Mitigation Fee Act to identify the purpose of a development fee and the use to which it is to be put.

Status: Senate Local Government

Recommendation: Support

Civil Litigation

AB 972 (Correa): False Claims Act

Purpose: Amends the False Claims Act. Authorizes a political subdivision to file a civil action only if it concludes that there is a reasonable, good faith belief that a violation of the act has occurred and that filing the action would not be in retaliation for a contractor's good faith dispute regarding change orders.

Status: Assembly Judiciary

Recommendation: Watch

Planning and Development Services

SB 115 (Torlakson): Real Property

Purpose: Requires documents of intention to offer subdivided land for sale or lease filed with the Dept of Real Estate include a written statement or map from the city or county planning department indicating the zoning, including the permitted housing densities, of all lands within 1/4 mile of the exterior boundary of the real property.

Status: Senate Judiciary Committee

Recommendation: Oppose – substantial costs associated with the additional requirements placed on City staff to provide the written statement.



Neighborhood Services

Priorities

AB 222 (Corbett): California Reading and Library Bond Act of 2004

Purpose: Enacts the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of '04, for submission to the voters at the '04 primary election. Authorizes the issuance of bonds for the purpose of financing library construction and renovation pursuant to a program administered by the State Librarian.

Status: Assembly Local Government

Recommendation: Support

SB 40 (Alpert): Reading, Literacy and Public Library Bond Act of 2004

Purpose: Enacts the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of '04, for submission to the voters at the '04 primary election. Authorizes the issuance of bonds for the purpose of financing library construction and renovation pursuant to a program administered by the State Librarian.

Status: Senate Education Committee

Recommendation: Support

AB 1222 (Montanez): Parks and Recreation; Roberti-Z'berg-Harris Program

Purpose: Relates to the Roberti-Z'berg-Harris Open-Space and Recreation Program Act. Deletes the requirement that cities, counties, and districts receiving grants for parks and recreation purposes provide matching money.

Status: Assembly Local Government

Recommendation: Support

City Parks Master Plan Funding Eligibility: TBD

General Legislative Positions

AB 1475 (Steinberg): Housing; Homeless

Purpose: Requires that the Dept of Housing and Community Development's selection criteria for funds under the Multifamily Housing Program give priority to projects that include a supportive services component that meets specified criteria, which may include participating in an evaluation under the criteria set forth in the Adult and Older Adult Mental Health System of Care.

Status: Assembly Housing and Community Development

Recommendation: Support



Public Safety

Priority

AB 136 (Kehoe): Worker's compensation; disability; leaves of absence

Purpose: Provides that police officers, sheriffs, or firefighters are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment, for the period of disability, but not exceeding 2 years.

Status: Assembly Insurance

Recommendation: Watch

AB 193 (Cohn): Early stroke care and procedures

Purpose: States legislative intent to address methods for the establishment of standards and protocols for early stroke diagnosis and stroke patient care.

Status: Introduced

Recommendation: Support

AB 911 (Longville): Local emergency telephone number system; 911

Purpose: Authorizes a local public agency to enact an ordinance that defines what constitutes a nuisance call to the 911 service and provides for the imposition of a fine on any person who makes a nuisance call.

Status: Assembly Utilities and Commerce

Recommendation: Support

SB 911 (Alpert): Local emergency telephone system

Purpose: Creates the State 911 Administrative Board comprised of specified members appointed by the Governor to approve, modify, or deny decisions of the Communications Division pursuant to Warren-911-Emergency Assistance Act. The division would be required to obtain board approval in carrying out its duties under the act.

Status: Senate Governmental Organization

Recommendation: Watch

AB 914 (Reyes): Public safety communications

Purpose: Declares legislative intent to provide a funding mechanism for the purchase and operation of public safety communication systems throughout the state.

Status: Introduced

Recommendation: Watch

General Legislative Positions

Controlled Substances

AB 797 (Bogh): Manufacture; conspiracy

Purpose: Imposes volume or amount enhancements for unlawful possession of specified chemicals with intent to manufacture methamphetamine or phencyclidine, or for a conspiracy to commit such an unlawful act. Imposes the conspiracy enhancements based on the amt. of controlled substances offered or negotiated to be unlawfully manufactured.

Status: Assembly Public Safety

Recommendation: Support

AB 1301 (Simitian): Alcohol and controlled substances; minors

Purpose: Provides that a parent who knowingly permits his or her child or one or more other persons in the company of the child, under the age of 21 years, to consume an alcoholic beverage or use a controlled substance at the home of the parent is guilty of a misdemeanor if that person, after leaving the parent's home, drives a vehicle under the influence and is involved in a vehicular accident.

Status: Assembly Public Safety

Recommendation: Support

SB 131 (Sher): Marijuana; Possession; Penalty

Purpose: Provides that, except as authorized by law, persons who possesses not more than 28.5 grams of marijuana, other than concentrated cannabis, are guilty of an infraction, punishable by a fine not to exceed \$100 for first offense and guilty of an infraction or a misdemeanor, punishable by a fine not to exceed \$100 for the second.

Status: Senate Public Safety

Recommendation: Oppose – Reduces the crime from a misdemeanor to an infraction.

SB 496 (Alpert): Drug endangered children

Purpose: Makes it a crime punishable by imprisonment in a state prison for 2, 4, or 6 years for any person to cause or permit any child to absorb, inhale, or otherwise ingest any amount of certain specified controlled substances, or to permit a child to be placed in a situation where methamphetamine is manufactured or sold.

Status: Senate Health and Human Services

Recommendation: Support

Firearms

AB 1290 (Jackson): Prohibitions

Purpose: Relates to the prohibition against persons with certain convictions, or drug addicts, from owning or possessing a firearm. Expands this provision to additionally prohibit purchasing, receiving, or attempting to purchase, own, receive, possess, or have under one's custody or control a firearm.

Status: Assembly Public Safety

Recommendation: Support

Fire Department

AB 28 (Pavley): Firefighting; Hazardous materials equipment

Purpose: Establishes in the Office of Emergency Services a Firefighting Hazardous Materials Response Team Equipment Program to provide funding for the purchase of hazardous materials response apparatus and equipment by state and local agencies that

provide fire protection services. Requires the director of the Office of Emergency Services to establish criteria for the deployment of this equipment.

Status: Assembly Governmental Organization

Recommendation: Support

AB 904 (Lowenthal): Arson; registration

Purpose: Requires a person to register as an arsonist if the person is convicted, on or after a specified date, in any other state, federal, or military court, of any offense that if committed or attempted in this state would have been punishable as arson, if the person has been ordered by any other court to register as an arsonist unless the person has been relieved of the legal obligation to register.

Status: Assembly Public Safety

Recommendation: Support

Sex Offenders

AB 26 (Pacheco): Sex Offenders: Registration

Purpose: Requires that sex offender registration be categorized by community of residence and county. Requires Dept of Justice to provide specified information regarding registered sex offenders via the Internet. Requires an applicant, before being allowed to access the site, to provide his/her state driver's license/identification card number and current address. Prohibits registered sex offenders from accessing the site.

Status: Assembly Public Safety Committee

Recommendation: Support

AB 27 (Parra): Sex Offender Registration

Purpose: Extends "Megan's Law," requiring the Dept of Justice to continually compile specific information categorized by community of residence and zip code about any one required to register as a sex offender for a conviction for the commission/attempted commission of any specified sex offense. States legislative intent to consider posting information about sex offenders on the Internet under certain conditions.

Status: Assembly Appropriations Committee

Recommendation: Support

AB 506 (Maze): Sexual assault victims; toxicology testing

Purpose: Provides, subject to the sexual assault victim's refusal, that where indicated by the contact history, the victim's urine can be collected for toxicology purposes to determine if drugs or alcohol were used in connection with the assault.

Status: Assembly Public Safety

Recommendation: Support

AB 1205 (Maldonado): Outpatient status; notification

Purpose: Requires community program directors to provide preplacement notification to relevant local law enforcement agencies about the placement on outpatient status of any person required to register as a sex offender. Allows the disclosure of information and records by a community program director to a local law enforcement agency regarding a person placed on outpatient status who is required to register as a sex offender.

Status: Assembly Public Safety

Recommendation: Support

AB 1444 (Bates): Forensic identification

Purpose: Requires any person convicted of a sex offense to provide DNA samples to the Department of Justice for inclusion in the DNA and Forensic Identification Data Base.

Status: Assembly Public Safety

Recommendation: Support

Training and Counseling**AB 1383 (Wesson): Peace officers**

Purpose: Requires continuing professional training requirements adopted by the Commission on Peace Officer Standards and Training to include the study of racial and cultural differences among the residents of this state, and that every peace officer employed by a local law enforcement agency is entitled to consult with an independent psychologist on a one-time, one-visit basis, once every 4 years at agency expense.

Status: Assembly Public Safety

Recommendation: Oppose

AB 1671 (Chu): Hate incidence training

Purpose: Expresses legislative intent to enact legislation requiring the Commission on Peace Officer Standards and Training to develop a standardized method of identifying and reporting hate incidences.

Status: Introduced

Recommendation: Watch

AB 1673 (Chu): Hate crimes and hate incidence training

Purpose: Expresses legislative intent to enact legislation requiring local law enforcement agencies to track and report hate crimes and hate incidences to the Attorney General.

Status: Introduced

Recommendation: Watch

Vehicles**AB 45 (Simitian): Vehicles; mobile phones**

Purpose: Makes it an infraction, operative January 1, 2005, to drive a motor vehicle while using a wireless telephone, unless the telephone is designed and configured to allow hands-free operation, and is used in that manner while driving. Provides this prohibition does not apply to a person who is using the telephone to contact a law enforcement agency or public safety entity for emergencies. Exempts emergency service personnel operating an emergency vehicle.

Status: Assembly Appropriations

Recommendation: Support

AB 301 (Reyes): Vehicles; Video Displays

Purpose: Prohibits any person from operating a motor vehicle equipped with a video monitor, or a video screen, or any other, similar means of visually displaying a video signal, if the device is located in the motor vehicle at any point forward of the back of the driver's seat, or is visible to the driver while operating the motor vehicle. Provides that this prohibition does not apply to specified equipment.

Status: Assembly Transportation Committee

Recommendation: Support

AB 657 (Bogh): Vehicle forfeiture; driving under the influence

Purpose: Requires a court to declare a motor vehicle driven by a defendant to be a nuisance if the defendant is convicted of certain subsequent offenses involving driving under the influence or a first offense of gross vehicular manslaughter while intoxicated or vehicular manslaughter while under the influence and to have the motor vehicle sold.

Status: Assembly Public Safety

Recommendation: Support

AB 1663 (Dutra): Vehicle forfeiture; storage

Purpose: Provides that a peace officer is authorized to either immediately arrest a person and cause the removal and seizure of the vehicle he or she was operating or, if the vehicle is involved in a traffic collision, cause the removal and seizure of the vehicle, without the necessity of arresting the person, if the peace officer determines that the person was driving the vehicle while his or her driving privilege was ordered suspended or revoked.

Status: Assembly Transportation

Recommendation: Support



Transportation

Priority

ACA 7 (Dutra): Transportation Funding; Sales and Use Tax

Purpose: Authorizes a county, a city and a regional transportation agency to impose an additional sales and use tax for a period of 20 to 30 years at a rate of 0.5% exclusively for transportation purposes within the jurisdiction of the county, city or regional transportation agency if the additional tax is approved by 55% of the voters of the jurisdiction voting on the proposition to impose the tax.

Status: Assembly Transportation Committee

Recommendation: Support

SCA 2 (Torlakson): Local Government; Sales Taxes; Transportation

Purpose: Authorizes a county, a city and county, a local transportation authority, or a regional transportation agency, with the approval of a majority of its voters voting on the proposition, to impose a special tax for the privilege of selling tangible personal property at retail that it is otherwise authorized to impose, if the tax is imposed exclusively to fund transportation projects and services and smart growth planning.

Status: Senate Floor

Recommendation: Support

General Legislative Position

AB 594 (Leno) CEQA: Creation of Bike Lanes

Purpose: Removes the requirement that the restriping of existing pavement for the purposes of installing bike lanes is exempt from CEQA requirements.

Status: Introduced

Recommendation: Support. Eases CEQA regulation for what should be a simple matter.